

Document Log Item

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| Addressing | |
| From | To |
| "Jim Cox" <jcox@cosintl.com> | "Steve Costa" <slcatgdc@earthlink.net> |
| CC | BCC |
| Carl Goldstein/R9/USEPA/US@EPA | |
| Description Form Used: Memo | |
| Subject | Date/Time |
| RE: COS Samoa Packing Permit Issues | 08/16/2009 11:43 AM |
| # of Attachments | Total Bytes |
| 0 | 8,991 |
| NPM | Contributor |
| | Marcela VonVacano |
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| Comments | |
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Body

Document Body

Steve,

Thanks for your help in obtaining Carl's input. Our intent will be to continue to keep the permits active and we will follow what course is needed there. Regarding item 3 below, I would request that you help us to fill out the exemption application and help us sheppard it through.

Regards,

Jim

From: Steve Costa [mailto:slcatgdc@earthlink.net]
Sent: Sunday, August 16, 2009 11:27 AM
To: Jim Cox; Goldstein.Carl@epa.gov
Subject: COS SamoaPacking Permit Issues

Carl,

Please review and make sure I am correctly interpreting our conversation.

Jim,

I have had a couple of phone conversations with Carl. The following represent his evaluation at this time, **but keep in mind that he has submitted the letter to the permitting folks for a more "official" evaluation.** This could take some time.

As suspected when you stop production at the cannery there are two courses of action you can take:

[1] Simply notify EPA that you are no longer in business and wish to terminate (abandon your permits - NPDES and Ocean Dumping [OD]). There will be no further requirements. If someone buys the facility and wants to start production they would have to apply for a new permit(s). My feeling is that this might be problematic until the nitrogen and phosphorus water quality standards issues are settled. A new OD permit could be very difficult.

[2] If you wish to maintain the permit for a possible sale of the plant, then all permit required monitoring will be required. As for the DMRs and OD reports, you would file those and simply check the "No Discharge" box or indicate no discharge in the appropriate places. All other requirements would remain in effect - however, I believe that if there is no processing then any internal plant monitoring would be in suspension until production starts -up. It is unclear to me at this time how EPA would view the routine Harbor and Ocean monitoring or how you would coordinate with StarKist since they will still be obligated to do that monitoring. I suspect EPA would accept the monitoring as in compliance for both permits - but I am not sure how that gets worked out between COSand StarKist. StarKist may object to submitting a monitoring report with COSas a co-submitter if they are paying for the whole thing. Obviously, I do not want to get conflicted between the two operations - so COS, StarKist, and EPA would need to work that out.

[3] As for the storm water from the buying and storage operation, Carl has indicated that you can apply for an exemption/exclusion from a stormwater permit since there would be no identifiable point source discharge of pollutants. Evidently that is the existing situation for the can plant. There should be an application for that available online at the EPA web site. If not I

believe a letter to EPA (through Carl) would suffice. I am not sure if this is the same thing as permitting under the EPA-Region 9 general storm water permit. I believe your best course of action is to fill a request for an exemption and continue with your planned operation as the details get worked out. Carl sees no downside to this approach at this time.

Let me know if you would like gdc to follow up on item [3]

Steve